

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Shaheen Cabbagestalk,

Plaintiff,

VS.

State of South Carolina, and
South Carolina Department of Corrections,

Defendants.

C/A No. 5:16-cv-03314-RMG-KDW

ORDER

This is a civil action filed by a state prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to district court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

TO THE CLERK OF COURT:

As stated in the Report and Recommendation issued contemporaneously with this Order, unless Plaintiff pays the full filing fee within the time permitted by the court, this case is subject to summary dismissal under the three-strikes rule. Therefore, the Clerk of Court shall ***not*** issue any summonses nor shall the Clerk of Court forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.

Kayman D. West

November 18, 2016
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge